IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 618 of 2007

PRAVEEN KUMAR & ORS.
V/S
STATE & ORS.

Mr. SAJJAN SINGH, for the appellant / petitioner

Date of Order : 16.4.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner, perused the record received from the Panchayat.

Learned Collector has inter-alia found while deciding point No.3 that under Rule 158, allotment of land can be made in favour of petitioner in the categories of persons at concessional rate, while it was not clear, as to in what category each of the applicant falls to be eligible to get the plot at concessional rate.

I have perused the record of the Panchayat, and find that even in any of the resolutions, the Panchayat has not purportedly invoked the powers under Rule 158, much less has it found any of the applicants to be entitled to be allotted land at a concessional price. In the individual file of each applicant, the order-sheet has been drawn, which is contrary to the contents of the relevant resolution, inasmuch as, in the resolution there is not even a recital about the allotment being made at a

concessional price, while in the order-sheet it is drawn that the allotment is made at a concessional price. That apart, if it were to be made at a concessional price, the price is prescribed in Rule 158(2), while in the present case, Rs.3000/- has been charged for each plot measuring 30x20 ft., which is not in accordance with any of the parameters.

Obviously it is writ large, that apart from the reasons given by the learned Collector, there are many more reasons, which vitiate the grant of pattas. However, for the present purposes, suffice it to say that the impugned order of the Collector does not require any interference in my writ jurisdiction. The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

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